

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
UNITED STATES OF AMERICA
:
- v. -
:

BRANDON BECKER,

Defendant.
:
----- X

INDICTMENT

19 CRIM 704

COUNT ONE

(Conspiracy to Commit Wire Fraud and Bank Fraud)

The Grand Jury charges:

1. From at least in or about 2012 through at least in or about 2015, in the Southern District of New York and elsewhere, BRANDON BECKER, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343, and bank fraud, in violation of Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that BRANDON BECKER, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses,

representations and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, BECKER engaged in a scheme at a company that he controlled ("Sales Agent-1") to falsify merchant applications and create shell merchant accounts to obtain credit card processing services and to obtain more than \$19 million from a financial institution ("Bank-1"), which scheme involved the use of interstate wires, including interstate wires into and out of the Southern District of New York.

3. It was further a part and an object of the conspiracy that BRANDON BECKER, the defendant, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation("FDIC"), and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means

of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344, to wit, BECKER engaged in a scheme at Sales Agent-1 to falsify merchant applications and create shell merchant accounts to obtain credit card processing services and to obtain more than \$19 million from Bank-1.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Conspiracy to Make False Statements to a Bank)

The Grand Jury further charges:

4. From between in or about 2012 through in or about 2015, in the Southern District of New York, and elsewhere, BRANDON BECKER, the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, making a false statement to a bank, in violation of Title 18, United States Code, Section 1014.

5. It was part and object of the conspiracy that BRANDON BECKER, the defendant, and others known and unknown, willfully and knowingly, made false statements for the purpose of influencing the action of a financial institution, as defined in Title 18, United States Code, Section 20, upon an

application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment, or loan, by stating and causing to be stated false information on merchant applications and other documents submitted through Sales Agent-1 to obtain and maintain credit card processing, including as to the nature of the merchant's business, owner, history, employees, and storefront, when in truth and in fact, as BECKER well knew, such statements on the merchant account applications and other documents were false.

Overt Acts

6. In furtherance of this conspiracy and to effect the unlawful objects thereof, the following overt acts were committed in the Southern District of New York and elsewhere.

a. On or about the dates set forth below, BECKER and others caused the following sham merchant accounts to be opened pursuant to falsified merchant applications submitted to an independent sales organization ("ISO") associated with Bank-1 and located in Manhattan in the Southern District of New York, in order to process credit and debit card transactions for an underlying telemarketing business selling debt consolidation and interest rate reduction services, as well as other purported "budgeting" services.

MERCHANT ACCOUNT	OPEN	CLOSED
Sham Merchant-1	04/22/13	9/5/13
Sham Merchant-2	10/24/13	5/31/14
Sham Merchant-3	05/28/13	9/5/13
Sham Merchant-4	07/05/13	10/18/13
Sham Merchant-5	04/11/14	7/9/14
Sham Merchant-6	11/01/12	5/28/14
Sham Merchant-7	06/09/14	10/24/14
Sham Merchant-8	08/29/13	11/14/13
Sham Merchant-9	10/24/13	1/27/14
Sham Merchant-10	02/15/13	9/5/13
Sham Merchant-11	06/13/13	9/5/13
Sham Merchant-12	07/30/13	2/28/14
Sham Merchant-13	02/04/14	7/3/14
Sham Merchant-14	02/10/14	7/3/14
Sham Merchant-15	07/25/13	2/28/14
Sham Merchant-16	09/04/12	6/9/14
Sham Merchant-17	03/08/13	7/25/14
Sham Merchant-18	11/01/12	6/9/14
Sham Merchant-19	01/15/14	5/7/14
Sham Merchant-20	02/01/14	5/31/14
Sham Merchant-21	06/09/14	10/20/14
Sham Merchant-22	02/10/14	4/29/14
Sham Merchant-23	01/14/14	5/31/14
Sham Merchant-24	09/04/13	1/27/14
Sham Merchant-25	01/23/14	7/7/14
Sham Merchant-26	03/12/14	9/13/14

b. On or about October 20, 2014, BECKER and others caused a charge of \$1,095 to be processed by Bank-1 for the merchant account Sham Merchant-21.

(Title 18, United States Code, Section 371.)

COUNT THREE
(Wire Fraud)

The Grand Jury further charges:

7. From at least in or about 2012 through at least in or about 2015, in the Southern District of New York and elsewhere, BRANDON BECKER, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, BECKER engaged in a scheme at Sales Agent-1 to falsify merchant applications and create shell merchant accounts to obtain credit card processing services and to obtain more than \$19 million from a financial institution, Bank-1, which scheme involved the use of interstate wires, including interstate wires into and out of the Southern District of New York.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FOUR
(Bank Fraud)

The Grand Jury further charges:

8. From at least in or about 2012 through at least in or about 2015, in the Southern District of New York and elsewhere, BRANDON BECKER, the defendant, and others known and unknown, did execute and attempted to execute a scheme and artifice to defraud a financial institution, Bank-1, the deposits of which were then insured by the FDIC, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, BECKER engaged in a scheme to falsify merchant applications and create shell merchant accounts to obtain credit card processing services and to obtain more than \$19 million from Bank-1.

(Title 18, United States Code, Sections 1344 and 2.)

FORFEITURE ALLEGATION

9. As a result of committing the offenses alleged in Counts One, Two, Three, and Four of this Indictment, BRANDON BECKER, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461,

any and all property, real or personal, which constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency traceable to the commission of said offenses.

Substitute Asset Provision

10. If any of the above-described forfeitable property, as a result of any act or omission of BRANDON BECKER, the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value;
or

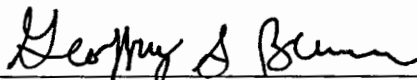
(5) has been commingled with other property which cannot be subdivided without difficulty;
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other

property of the defendant up to the value of the above
forfeitable property.

(Title 18, United States Code, Sections 981 and 982,
Title 21, United States Code, Section 853, and
Title 28, United States Code, Section 2461.)



FOREPERSON



GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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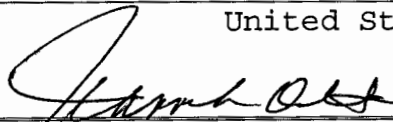
SEALED INDICTMENT

19 Cr.

(Title 18, United States Code, Sections
2, 371, 1343, 1344 & 1349.)

GEOFFREY S. BERMAN

United States Attorney.



10/1/19

Filed Indictment
Case assigned to Judge Preska

USMJ FOX

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